

1 MELINDA HAAG (CABN 132612)  
United States Attorney

2 MIRANDA KANE (CABN 150630)  
Chief, Criminal Division

3 CAROLYNE ARANGO SANIN (DCBN 499564)  
Special Assistant United States Attorney

4 150 South Almaden Boulevard, Suite 900  
5 San Jose, California 95113  
6 Telephone: (408) 535-5596  
7 Facsimile: (408) 535-5066  
carolyne.sanin@usdoj.gov

EDS:SOA/AF/EMB DFE

8 Attorneys for the United States

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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN JOSE DIVISION

13 UNITED STATES OF AMERICA, ) No. 09CR 620 RMW  
14 Plaintiff, ) STIPULATION AND [PROPOSED]  
15 v. ) ORDER CONTINUING HEARING TO  
16 BRIAN GARCIA, ) NOVEMBER 7, 2011  
17 Defendant. )  
18 )

19 The Parties, Richard Pointer and the United States, acting through respective counsel,  
20 hereby stipulate, subject to the Court's approval, that the hearing currently set for October 31,  
21 2011 at 9am be vacated, and that the hearing be re-set for November 7, 2011 at 9am. The parties  
22 are requesting the continuance of the hearing due to the unavailability of probation officer,  
23 Esmeralda Gupton, on October 31, 2011.  
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1 DATED: September 28, 2011

MELINDA HAAG  
United States Attorney

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3 /s/  
Carolyne A. Sanin

4 Special Assistant United States Attorney

5   
Richard Pointer

6  
7 Richard Pointer  
Attorney for Defendant

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9 **[PROPOSED] ORDER**

10 Based upon the stipulation of the parties, and for good cause shown, the Court HEREBY  
11 ORDERS that the hearing in this matter previously set for October 31, 2011 at 9am is vacated,  
12 and the matter is continued to November 7, 2011 at 9am.

13 IT IS SO ORDERED.

14 DATED: ~~Fee~~ OFF

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RONALD M. WHYTE  
16 UNITED STATES DISTRICT JUDGE

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